IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO.35 OF 2006

M/s.R.K. Kurup Construction Co. ..Applicant

V/s.

Union of India ..Respondent

Shri.V.R. Hukmani for the applicant.
Shri.Suresh Kumar for the respondent.

CORAM : D.K. DESHMUKH, J.
DATED : 08/09/2006

P.C.:-

1. Learned counsel for the respondent states that without prejudice to the contentions of the respondents that none of the disputes raised by the applicant are arbitrable and that they are barred by the law of limitation, the General Manager, Central Railway shall appoint arbitrator within six weeks from today. He further states that the respondents shall be at liberty to raise all objections of the jurisdiction of the learned arbitrator before the learned arbitrator.

2. In view of this, application is disposed of. It is made clear that in case arbitrator is appointed, the parties shall be free to raise all contentions even contention about the jurisdiction of the learned arbitrator before the learned arbitrator.

(D.K. DESHMUKH, J.)